



Water Quality Program Corrections Required

Construction Stormwater General Permit (CSGP) <input checked="" type="checkbox"/>	Industrial Stormwater General Permit (ISGP) <input type="checkbox"/>	Sand and Gravel General Permit (S&G) <input type="checkbox"/>
Site name: Electron Hydro LLC Intake		Mailing address – 1800 James St Ste 201
Site address: Puyallup River (closest town – Orting)		City, State, Zip: Bellingham, WA 98225-4631
City, State, Zip: Orting, WA		Phone: 360.738.9999
Site contact: Thom Fischer,		Permit #: WAR306648
Ecology inspector(s): Carol Serdar		Inspection date: 17 August 2020
Inspector phone: 360.742.9751	FAX: 360.407.6305	E-mail: cser461@ecy.wa.gov
Notice of Penalty issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Field Citation #	Latitude and longitude: Lat:46.90587 Long:-122.03973

The Department of Ecology (Ecology) is responsible for overseeing environmental laws that protect human health and the environment in Washington. Ecology observed violations of Chapter 90.48 of the Revised Code of Washington (RCW), Chapter 173-226 of the Washington Administrative Code (WAC), Waste Discharge General Permit Program during this site visit. Violations observed are checked below.

Violation No.	Violation	Reason	Permit Condition
<input type="checkbox"/> 1	RCW 90.48.160	Operating or discharging without a permit (all)	Does not apply.
<input type="checkbox"/> 2	RCW 90.48.080	Polluting waters of the state (all)	
<input type="checkbox"/> 3	RCW 90.48.080	Polluting impaired waters, discharge exceeds 303(d) limit (CSGP and ISGP)	
<input type="checkbox"/> 4	WAC 173-201A or WAC 173-200	Violating Water Quality Standards (<i>List specific standard violated.</i>) (all)	
<input type="checkbox"/> 5	RCW 90.48.090	Denial or withdrawal of access (all)	
<input type="checkbox"/> 6	RCW 90.48.080, WAC 173-226-070	Process water discharge without treatment in lined impoundment (S&G)	
<input type="checkbox"/> 7	RCW 90.48.080, WAC 173-226-070	Failure to clean up oil spills or repair leaking equipment (S&G)	
<input type="checkbox"/> 8	RCW 90.48.080, WAC 173-226-070	Cover or containment not provided for chemical or petroleum products (all)	
<input type="checkbox"/> 9	RCW 90.48.080, WAC 173-226-070	Corrective Action not taken (ISGP)	
<input type="checkbox"/> 10	RCW 90.48.080, WAC 173-226-070	No Stormwater Pollution Prevention Plan (SWPPP) (all)	
<input type="checkbox"/> 11	RCW 90.48.080, WAC 173-226-070	SWPPP does not meet permit requirements (all)	
<input checked="" type="checkbox"/> 12	RCW 90.48.080, WAC 173-226-070	<input checked="" type="checkbox"/> Not <u>maintaining</u> best management practices (BMPs) (all) <input checked="" type="checkbox"/> Not <u>implementing</u> BMPs (all) <input type="checkbox"/> Failure to modify SWPPP per permit or Dept. of Ecology Notice (all)	S9.D.5.; S9.D.9.
<input type="checkbox"/> 13	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> BMPs not <u>maintained</u> per permit or Dept. of Ecology Notice (all) <input type="checkbox"/> BMPs not <u>implemented</u> per permit or Dept. of Ecology Notice (all)	
<input type="checkbox"/> 14	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Inspections not completed as required by permit (CSGP and ISGP) <input type="checkbox"/> Inspections do not comply with permit requirements (CSGP and ISGP)	
<input type="checkbox"/> 15	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Monitoring not conducted as required by permit (all) <input type="checkbox"/> Sampling does not comply with permit requirements (all)	
<input type="checkbox"/> 16	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Not keeping site log book (CSGP and ISGP) <input type="checkbox"/> Not keeping inspection reports or checklists (CSGP)	
<input type="checkbox"/> 17	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Did not telephone report turbidity greater than 250 NTU (CSGP), or threshold exceeded (ISGP) <input type="checkbox"/> No Discharge Monitoring Reports available (all) <input type="checkbox"/> Failure to notify Dept. of Ecology of noncompliance with permit requirement (all)	
<input checked="" type="checkbox"/> 18	RCW 90.48 WAC 173-226	Operating within the total permitted area, but beyond the permitted disturbed area.	G20
<input type="checkbox"/> 19			

Violation No.	Observation(s) and action(s) required to achieve compliance. (see permit conditions)	Complete or Submit Date
12	Exposed and unworked soil (slope from road to riverbed) that has not been temporarily stabilized within seven days is a violation of CSWGP condition S9.D.5.d.; and Equipment containing fuel was observed not having secondary containment and is a violation of S9.D.9.b. <u>TO DO:</u> 1. Temporarily stabilize all exposed and unworked soil after seven days; update SWPPP and SWPPP map with dates and initials; and 2. Provide secondary containment for ALL equipment containing fuel, fuel tanks, and chemical totes (100% capacity of tank).	18 September 2020
18	Site is permitted for a total area of 30 ac and disturbed area of 4.5 ac; more than 4.5 ac is disturbed in the upland (including all staging areas, haul road, and side slopes). <u>TO DO:</u> Fill out and submit a CSWGP Modification Form (email to Carol Serdar and Melinda Wilson (MEWI461@ecy.wa.gov) and hard copy of the form must be sent to Ecology) https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit go to Applications and forms; then Changes in coverage; then Modifications and updates.	22 September 2020
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Instructions:

- These corrective action requirements are not an enforcement order and are **not appealable**.
- If a penalty accompanies these corrective action requirements, **the penalty is appealable**.
- **Appeal directions are on the back of the penalty.**
- Failure to comply with these corrective action requirements may result in enforcement action.

1. To comply with the water quality regulations, complete the actions identified in the table above.
2. If you have questions, contact Carol Serdar, Ecology inspector, at 360.742.9751.
3. To request an extension, **send a written request** to the Ecology inspector by 15 September 2020.

Ecology will notify you if an extension is granted. Please include all of the following:

- Reason extension is needed.
- Steps already taken.
- Description of work that remains to be completed.
- Anticipated completion date.

Send required document(s) to the appropriate Ecology office:Bellingham Field Office

1440 10th St Ste 102
Bellingham WA 98225
360-715-5200

Vancouver Field Office

2108 Grand Blvd
Vancouver WA 98661
360-690-7171

Central Regional Office

15 W Yakima Ave Ste 200
Yakima WA 98902
509-575-2490

Northwest Regional Office

3190 160th Ave SE
Bellevue WA 98008-5452
425-649-7000

Southwest Regional Office

PO Box 47775
Olympia WA 98504-7775
360-407-6300

Eastern Regional Office

4601 N Monroe
Spokane WA 99205-1295
509-329-3400

Ecology Inspector (signature): Carol Serdar Date: 8 September 2020

Owner/Operator (signature): **sent via email 8 September 2020** Date: _____

Owner/Operator (print name): _____ Date: _____

If you need this publication in an alternate format, call the Water Quality Program at 360-407-6722. Persons with hearing loss call 711 for the Washington Relay Service. Persons with a speech disability call 877-833-6341